



DAC
PATENT
VT0322-US1

IN THE UNITED STATES PATENT AND TRADE MARK OFFICE

In re Application of: : Date: Aug. 16, 2004
Wong :
Serial No: 10/011/018 : Group Art Unit: 3762
Filed: December 4, 2001 :
For: " Methods and Devices for Reducing Integrated : Examiner: George C. Manuel
Circuit Power Consumption in Implantable Cardiac
Stimulation Devices"

Mail Stop: Managers Office of OIPE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION TO WITHDRAW NOTICE OF ABANDONMENT
UNDER
SECTION 711.03(c) OF THE MPEP

Dear Sir or Madame:

This Petition is submitted for consideration as instructed by the Attachment to the Notice of Abandonment. We received the Notice of Abandonment for the captioned case August 16, 2004.

This Notice of Abandonment was unexpected because on May 3, 2004, we sent a Request for Status regarding this case stating we have not received any office action in over two years and requested current status of the application. The accompanying postcard was stamped received by the USPTO mailroom on May 6, 2004. A copy of the Request for Status and postcard are enclosed. No response to this Request for Status was ever received.

The Notice of Allowance which the Notice of Abandonment said we never responded to was never received by our office. If we had received it, we would not have asked for status on May 3, 2004 and would have paid the issue fee.

Our mailroom receives and distributes mail addressed to me and to all the employees at this location daily by sorting and then inserting our mail into our mailboxes.

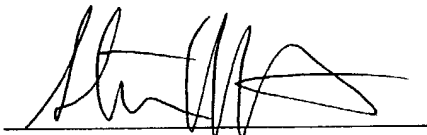
The mailboxes are centrally located for this 701 E. Evelyn Avenue address. My secretary

retrieves my mail from my mailbox daily, opens the mail, docket the office action and the due dates onto our CPI database, then retrieves the appropriate patent file folder and places the office action on top of the file folder for my review and action.

Apparently, the Notice of Allowance was lost in the mail. It was not anyone's fault. Respectfully, please grant this Petition to Withdraw the Notice of Abandonment and re-mail the Notice of Allowance.

Please charge the Petition fee of \$130.00 to Account 22-0265 and for any additional fee required. A duplicate of this Petition is attached.

Respectfully submitted,



Steven M. Mitchell
Reg. No. 31,857
Attorney for Applicant

PACESETTER, INC.
701 E. Evelyn Avenue
Sunnyvale, CA 94086
Telephone: (408) 522-6101
Date: 8/16/04

I hereby certify that this correspondence is being deposited in the United States Postal Service as 1st Class mail in an envelope addressed to Mail Stop: Managers Office of OIPE, Commissioner for Patents, P. O. Box 1450, Arlington, VA 22313-1450 on August 16, 2004.





New	Copy	Search	Save	Print	Delete	Undo	Exit
Docket Number: VT0322		Sub Case: 1					
Country: US		Case Type: 3RD					
Status: Pending		Application #: 20031018		Filing Date: 04-Dec-2001			
Action Type: AF - Application Filed		Base Date: 04-Dec-2001		Response Sent Date: 04-Dec-2001			

5 Action(s) Due		Due Date	Indicator	Taken
<input checked="" type="checkbox"/>	Post Card for Applic. Filed?	04-Feb-2002	Due Date	04-Feb-2002
<input checked="" type="checkbox"/>	Review for IDS	04-Feb-2002	Due Date	04-Feb-2002
<input checked="" type="checkbox"/>	AF - Applicatio Follow Up Date	04-Jun-2002	Due Date	
<input checked="" type="checkbox"/>	Review for Foreign Filing	04-Jul-2002	Due Date	04-Jul-2002
<input checked="" type="checkbox"/>	Status Inquiry	04-Jun-2003	Due Date	04-Jun-2003

User ID: []	Date Created: 11/15/2003	Last Update: 16-Apr-2004
Docket Number: VT0322		Sub Case: 1
Country: US		Case Type: 3RD
Status: Pending		Application #: 20031018
Filing Date: 04-Dec-2001		Base Date: 20-Oct-2004
Action Type: RJ - U.S. 2 mo Office Action		Response Sent Date: []

2 Action(s) Due		Due Date	Indicator	Taken
<input checked="" type="checkbox"/>	1st Month for Response	20-Nov-2004	Due Date	
<input checked="" type="checkbox"/>	2nd Month for Response	20-Dec-2004	Final	

User ID: []	Date Created: 11/15/2003	Last Update: 11/15/2003
Go To: Country Application	Generate Letter	

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VT0322-481



DIVISION OF
CONTINUATION IN PART OF

INVENTOR Wong
SERIAL NO. 10/011,018 FILED 12/4/01
TITLE Reduction in Integrated Circuit Consumption in Implantable
Methods & Devices for Cardiac Stimulation Devices
ASSIGNEE Pacesetter, Inc. **CONFIRMATION** 6936
ASSIGNMENT RECORDED 12/4/01 REEL 012370 FRAME 0090

OFFICE ACTIONS

AMENDMENTS

no FE 8/24/02

IDS sent 9/16/02

Req for Status 5/3/04

Req to Withdraw Notice of Abandonment 8/16/04

Resp to Decision 12/20/04

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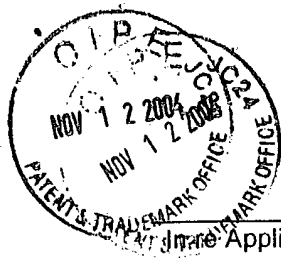
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Patent
VT0322-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wong

Serial No: 10/011,018

Filed:

For: "METHODS AND DEVICES FOR REDUCING
INTEGRATED CIRCUIT POWER CONSUMPTION IN
IMPLANTABLE CARDIAC STIMULATION DEVICES"

Date: 11/4/04

Group Art Unit: 3762

Examiner: George Manuel

RESPONSE TO DECISION ON PETITION TO WITHDRAW HOLDING OF ABANDONMENT; RENEWED
PETITION UNDER 37 CFR 1.181

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

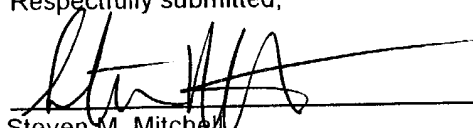
In response to the Decision on Petition to Withdraw Holding of Abandonment dated 10/20/04, the practitioner attests to the following facts:

- 1) The Notice of Allowance was never received by the practitioner. This was explained on the Petition to Withdraw Notice of Abandonment under Section 711.03(c) of the MPEP, received on August 19, 2004 by the Commissioner for Patents. A copy of that Petition is enclosed.
- 2) A search of the file jacket and docket records indicates that the Notice of Allowance was not received. A Request for Status was sent to the Commissioner of Patents on May 3, 2004 when no Office Action or activity on the file was received or docketed in over 2 years. Documentation regarding the Request for Status was included in the Petition to Withdraw Notice of Abandonment received by the Commissioner on August 19, 2004. No response to the Request for Status was ever received leaving practitioner unaware of the issuance of the Notice of Allowance.
- 3) Enclosed is a copy of the printout from our docketing database where the Notice of Allowance would have been entered if it was received. Also enclosed is a copy of the front of the file folder for this case, VT0322-US1, where the Notice of Allowance would have been docketed upon receipt.

Please grant this renewed Petition submitted under 37 CFR 1.181.

The Commissioner is authorized to charge the \$130.00 Petition Fee to Deposit Account No. 22-0265. This form is submitted in duplicate.

Respectfully submitted,


Steven M. Mitchell
Reg. No. 31,857
Attorney for Applicant

PACSETTER, INC.
701 E. Evelyn Avenue
Sunnyvale, CA 94086
Telephone: (408) 522-6101
Date: 11/4/04

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I hereby certify that this correspondence is being deposited
in the United States Postal Service as 1st Class Mail in an
envelope addressed to Commissioner for Patents, P. O. Box
1450, Alexandria, VA 22313 on November 4, 2004

